

REMARKS

Claims 1, 4-9, 11-20, 22-33 and 37-40 are pending in the present application. Claims 4-8, 14-20 and 22-33 were previously withdrawn from consideration. Claims 2, 3, 10, 21 and 34-36 were previously cancelled.

Claims 11-13 and 40 are objected to for containing informalities. Although claim 40 is listed as objected to, the Examiner does not provide grounds for objection of claim 40. Applicants request clarification of the claim 40 objection.

The Examiner contends that claim 11 is a method claim that cannot depend on a device claim 40, and that claims 12 and 13 as device claims cannot depend on a method claim 11. Applicants respectfully disagree.

Contrary to the Examiner's contention, claim 11 **is not a method claim**. Claim 11 is specifically directed to a display, and provides further description of the mechanical mask method used to obtain a component of the display. Claim 11 is thus a permissible product-by-process claim. Therefore, Applicant submits that claim 11 is not a method claim, and requests withdrawal of the objection to claims 11-13 and 40.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,061,114 to Callegari et al., hereinafter "Callegari". Claim 1 is independent. Applicants respectfully traverse this rejection.

Claim 1 provides a method of preparing a multi-domain liquid-crystal display that is operable in the in-plane switching mode. The method includes depositing a dry deposit alignment layer on a substrate, partitioning the dry deposited layer into a plurality of domain areas, and aligning said dry deposited layer using a method selected from mechanical mask, photo-resist, UV treatment, and ridge and fringe field methods. The alignment is achieved by exposing said dry deposited layer to at least a first particle beam and a second particle beam. A direction of the first particle beam with respect to

the dry deposited layer is different than a direction of the second particle beam with respect to the dry deposited layer.

Callegari discloses a method for creating alignment layers for liquid crystal displays (abstract). The method includes bombarding a surface of a film with a directional particle beam, and placing at least one liquid crystal on the bombarded surface (col. 2., lines 5-10). The bombarding process creates preferentially oriented bonds on the surface of the film (col. 2, lines 7-9).

However, Callegari **does not disclose** any displays or methods for producing displays that are operable in the **in-plane switching** mode. Therefore, Callegari does not disclose or suggest a method of preparing a multi-domain liquid-crystal display, "wherein said liquid-crystal display is operable in the in-plane switching mode," as recited in claim 1.

Thus, Callegari does not disclose or suggest the elements of claim 1. Therefore, claim 1 is patentable over Callegari.

For the reasons set forth above, it is submitted that the rejection of claim 1 under 35 U.S.C. 102(e) as being anticipated by Callegari is overcome. Applicants respectfully request that the rejection of claim 1 be reconsidered and withdrawn.

Claims 9, 37 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,493,050 B1 to Lien et al., hereinafter "Lien", in view of Callegari. Applicants traverse the rejection.

Applicants respectfully submit that Lien is exempted from consideration as prior art by 35 U.S.C. 103(c) for purposes of section 103(a) nonobviousness.

35 U.S.C. section 103 (c) provides that:

[s]ubject matter developed by another person, which qualifies as prior art only under one or more of sections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Both the present invention and Lien were, at the time the present invention was made, commonly owned by, or subject to an obligation of assignment to, International Business Machines Corporation. Accordingly, Lien is disqualified as prior art under 35 U.S.C. 130(c).

For the reasons set forth above, it is submitted that the rejection of claims 9, 37 and 40 under 35 U.S.C. 103(a) as being unpatentable over Lien in view of Callegari is overcome. Applicants respectfully request that the rejection of claim 1 be reconsidered and withdrawn.

Claims 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Callegari in view of U.S. Patent No. 6,313,896 B1 to Samant et al., hereinafter "Samant". Claims 38 and 39 depend from claim 1. Applicants traverse the rejection.

As discussed above, Callegari does not disclose or suggest the elements of claim 1. Applicants do not believe that Samant makes up for the deficiencies of Callegari, as it applies to claim 1. Therefore, Callegari and Samant, whether considered alone or in combination, do not disclose or suggest the elements of claim 1. Thus, claim 1 is patentable over the cited combination of Callegari and Samant.

Claims 38 and 39 depend from claim 1. For at least reasoning similar to that provided in support of the patentability of claim 1, claims 38 and 39 are patentable over the cited combination of Callegari and Samant. Applicants respectfully request reconsideration and withdrawal of the section 103(a) rejection of claims 38 and 39.

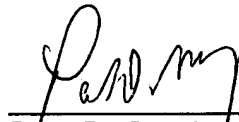
Claims 11 through 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lien in view of Callegari, and further in view of Samant. Claims 11 through 13 depend from claim 9. Applicants traverse the rejection.

As discussed above, Callegari is disqualified as prior art under 35 U.S.C. 130(c). Thus, Applicants respectfully request reconsideration and withdrawal of the section 103(a) rejection of claims 11 through 13.

An indication of the allowability of all pending claims by issuance of a Notice of Allowability is earnestly solicited.

Respectfully submitted,

Date: 8/19/05



Paul D. Greeley
Reg. No. 31,019
Attorney for Applicants
Ohlandt, Greeley, Ruggiero & Perle, LLP
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
Tel: (203) 327-4500
Fax: (203) 327-6401